

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

HOME RUN INC.,

Case No. 3:11-cv-356

Plaintiff,

-vs-

Judge Walter H. Rice

CLYDE L. LEWIS, et. al.,

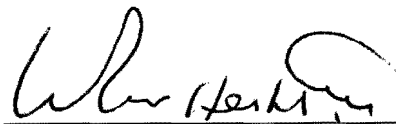
Defendant.

ORDER

Service within 120 days of filing: This action was filed October 13, 2011 as of the date of this Order, Plaintiff has filed neither a waiver of service nor proof of service on Defendants, Clyde L. Lewis, Transportation Specialty's Inc. and Christopher P. Windsor.

Plaintiff is reminded that Fed. R. Civ. P. 4(m) requires the Court to dismiss an action in which service is not made within 120 days of filing the Complaint. Plaintiff's time for filing proof of service or waiver expires February 10, 2012. Unless proof of service is filed by that date, the Court will dismiss the defendants, Clyde L. Lewis, Transportation Specialty's Inc. and Christopher P. Windsor, from this action for lack of service of process.

DONE and ORDERED in Dayton, Ohio, this 29th day of December, 2011.



WALTER H. RICE, JUDGE
UNITED STATES DISTRICT COURT